

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

2008 APR -8 P 4: 37

Arizona Corporation Commission

DOCKETED

APR -8 2008

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY FOR
A HEARING TO DETERMINE THE FAIR
VALUE OF THE UTILITY PROPERTY OF
THE COMPANY FOR RATEMAKING
PURPOSES, TO FIX A JUST AND
REASONABLE RATE OF RETURN
THEREON, TO APPROVE RATE SCHEDULES
DESIGNED TO DEVELOP SUCH RETURN

Docket No. E-01345A-08-0172

APPLICATION OF
FREEPORT-MCMORAN
COPPER & GOLD INC.
AND ARIZONANS FOR
ELECTRIC CHOICE AND
COMPETITION FOR LEAVE
TO INTERVENE

Pursuant to A.A.C. R14-3-105, Freeport-McMoRan Copper & Gold Inc. ("Freeport-McMoRan") and Arizonans for Electric Choice and Competition ("AECC") hereby apply to the Arizona Corporation Commission (the "Commission") for an Order granting Freeport-McMoRan and AECC leave to intervene in the above captioned proceeding.

Freeport-McMoRan maintains facilities and operations within the State of Arizona, which receive electric services from Arizona Public Service Company ("APS"). As a user of electric services provided by APS, Freeport-McMoRan will be directly and substantially affected by the decision of the Commission in this proceeding. The Commission should, therefore, grant Freeport-McMoRan leave to intervene in this matter.

AECC is a coalition of energy consumers, most of whom are also customers of APS. The Commission should grant AECC leave to intervene in this matter because the members of AECC are customers of APS and will be directly and substantially affected by the decision of the Commission in this proceeding. The Commission should, therefore,

1 grant AECC leave to intervene in this matter.

2 Neither Freeport-McMoRan's nor AECC's participation in this proceeding will
3 broaden the issues nor unduly delay the proceeding, except upon leave of the Commission
4 first had and received.

5 For the reasons outlined above, Freeport-McMoRan and AECC respectfully
6 request that the Commission grant this Application for Leave To Intervene in this matter.

7 Freeport-McMoRan and AECC request that all communications in connection with
8 the above captioned proceeding be directed to:

9 C. Webb Crockett
10 Patrick J. Black
11 FENNEMORE CRAIG, P.C.
12 3003 North Central Avenue
13 Suite 2600
14 Phoenix, Arizona 85012-2913
(602) 916-5333
Fax: (602) 916-5533
wcrocket@fclaw.com
pblack@fclaw.com

15 RESPECTFULLY SUBMITTED this 8th day of April 2008.

16 FENNEMORE CRAIG, P.C.

17 

18 By C. Webb Crockett
19 Patrick J. Black
20 3003 N. Central Avenue, Ste. 2600
Phoenix, AZ 85012-2913

21 Attorneys for Freeport-McMoRan Copper & Gold Inc.
22 and Arizonans for Electric Choice and Competition
23
24
25
26

1 **ORIGINAL** and **13 COPIES** of the foregoing
2 **FILED** this 8th day of April 2008 with:

3 Docket Control
4 ARIZONA CORPORATION COMMISSION
5 1200 West Washington
6 Phoenix, Arizona 85007

7 **COPY** of the foregoing was **HAND-DELIVERED/**
8 **MAILED** this 8th day of April 2008 to:

9 LYN FARMER
10 CHIEF ADMINISTRATIVE LAW JUDGE
11 HEARING DIVISION
12 ARIZONA CORPORATION COMMISSION
13 1200 WEST WASHINGTON
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22 BY: Mary Bollington